

ACCESS SPECTRUM, LLC AND ACCESS 220, LLC)
V.)
EDWARD WHARTON, ET AL)
)
UNITED STATES DISTRICT COURT
DISTRICT of NEW YORK
Docket/Index # 08 CV 5755
)
Affidavit of Service

State of New Jersey

SS:

County of Bergen

I, **JAMES REAP** being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, has no direct personal interest in this litigation, is over 18 years of age and resides in, the State of New Jersey.

That on **July 9, 2008** at **4:35 PM**, deponent served the within named **SUMMONS AND COMPLAINT FOR
INTERPLEADER** upon **BRIAN P. SHIVER**. Said service was effected at **41 CONSTITUTION WAY, MORRISTOWN, NJ
07960**, in the following manner;

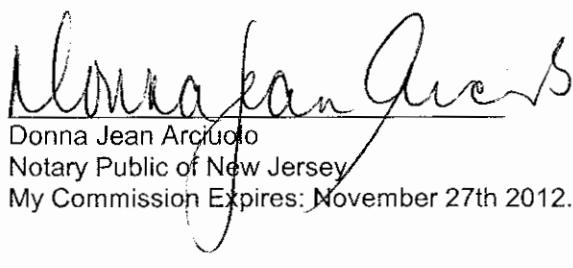
By delivering thereat a true copy of each to **CATHRYN SHIVER**, MOTHER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was **BRIAN P. SHIVER**'s dwelling place or usual place of abode and their reply was affirmative.

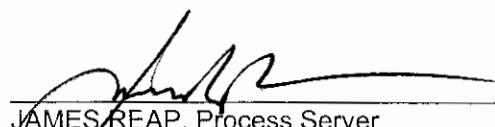
CATHRYN SHIVER is described to the best of deponent's ability at the time and circumstances of service as follows:
Sex: **Female** Skin Color: **White** Hair: **Brown** Age(Approx): **50** Ht.(Approx): **5' 4"** Wt.(Approx): **110-120 lbs**

I **JAMES REAP** asked, whether **BRIAN P. SHIVER** was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid, deponent avers that **BRIAN P. SHIVER** is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me on July 11, 2008


Donna Jean Arciulo
Notary Public of New Jersey
My Commission Expires: November 27th 2012.


JAMES REAP, Process Server
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CLS # 39567